

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
RICHARD GOLDMAN) Case No. 23-20256 CMB
KIMBERLY GOLDMAN)
Debtor(s).) Chapter 13
X

ORDER OF COURT
(Check Boxes That Apply)

- ☐ Confirming Plan on Final Basis ☒ Chapter 13 Plan dated:
3-8-23
- ☒ Authorizing Distributions Under Plan ☐ Amended Chapter 13 dated:
On Interim Basis Solely as Adequate
Protection

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is **\$1895** effective **6/23**.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the "Plan"), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee's next available distribution date after the first day of the month following the date on which this Order is entered on the Court's docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be **\$2201**, beginning **8/23**. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee's TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☒ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- **County of Allegheny CL.#5 with respect to all properties except those treated as surrendered in the plan.**
 - **North Braddock Boro (RE) CL.#14**

- **Woodland Hills SD (N.Braddock)(RE) CL.#6 with respect to all properties except those treated as surrendered in the plan**
- **Wilkinsburg Borough (Trash) CL.#24, CL.#25, & CL.#26**
- **Wilkinsburg School District (Wilkinsburg)(RE) CL.#16, CL.#17, & CL.#18**
- **Wilkinsburg Borough (RE) CL.#21, CL.#22, & CL.#23**

- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- ☐ K. Additional Terms and Conditions:
- Plan provisions for Wilkinsburg School District and Borough in section 3.6 of the plan are stricken as they are replaced by governing claims.
 - Secured claim of PA Department of Revenue CL.#2-2 is to be set at \$17,089.28, and paid with statutory interest, pending resolution of Adversary 23-2064.
 - All outstanding tax returns for 2022 and before must be filed within 60 days of the date of this Order.

**All plan payments must be by TFS, WA, or (where eligible) ACH. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods.*

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety

(90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.L.B.R. 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: July 31, 2023


United States Bankruptcy Judge **dmr**

cc: All Parties in Interest to be served by Clerk

FILED
7/31/23 8:41 am
CLERK
U.S. BANKRUPTCY
COURT - WDP

In re:
Richard Goldman
Kimberly Goldman
Debtors

Case No. 23-20256-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jul 31, 2023

User: auto
Form ID: pdf900

Page 1 of 4
Total Noticed: 50

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 02, 2023:

Recip ID	Recipient Name and Address
db/jdb	+ Richard Goldman, Kimberly Goldman, 1180 McCully Drive, Pittsburgh, PA 15235-4713
cr	Commonwealth of Pennsylvania, Department of Revenue, PO Box 280948, Harrisburg, PA 17128-0938
cr	+ Wilksburg School District and Borough of Wilkins, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
15577733	+ Affirm, 660 California Street, Floor 12, San Francisco, CA 94108-2501
15577734	+ Bank of New York Mellon, Patrick Wesner, Esq., 9000 Midlantic Drive, Suite 300, PO Box 5054, Mount Laurel, NJ 08054-5054
15591369	+ Borough of North Braddock, c/o Keystone Collections Group, 546 Wendel Road, Irwin, PA 15642-7539
15577735	+ Borough of Swissvale, Thomas S. Barr, Tax Collector, 7447 Washington Street, Pittsburgh, PA 15218-2581
15577736	Countrywide Home Loans, 450 Countrywide Way, Simi Valley, CA 93065
15577738	+ County of Allegheny, John K. Weinstein County Treasurer, 436 Grant Street, Room 108 Courthouse, Pittsburgh, PA 15219-2429
15577740	+ Duquesne Light Company, PO Box 371324, Pittsburgh, PA 15250-7324
15577741	+ Freidman Vartolo LLP, 1325 Franklin Avenue, Suite 160, Garden City, NY 11530-1631
15577744	+ Kratzenberg, Lazzaro, Lawson & Vincent, 546 Wendel Rd., Irwin, PA 15642-7539
15577746	+ Maiello, Brungo & Maiello, LLP, 424 S. 27th Street #210, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
15577748	N. Braddock Boro Tax Collector, Kathleen Evanchec, 416 6th Street, Braddock, PA 15104
15577750	+ Peoples Gas Company, 375 N. Shore Drive, Pittsburgh, PA 15212-5871
15591368	+ Swissvale Borough, c/o Keystone Collections Group, 546 Wendel Road, Irwin, PA 15642-7539
15577755	+ US Bank Trust National Association, 7114 E. Stetson Drive, Suite 250, Scottsdale, AZ 85251-3264
15577757	+ West Penn Water Authority, 2200 Robinson Blvd, Pittsburgh, PA 15221-1112
15621197	+ Wilksburg Borough, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
15621175	+ Wilksburg School District, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441
15568685	+ Wilksburg School District, C/O Maiello Brungo & Maiello, LLP, 424 S. 27th Street #210, Pittsburgh, PA 15203-2379
15577761	+ Wilksburg School District and, Wilksburg Borough, c/o Maiello Brungo Maiello, 424 South 27th St. #210, Pittsburgh, PA 15203-2379
15577762	+ Woodland Hills School District, Jordan Tax Service, Inc., 102 Rahway Road, Canonsburg, PA 15317-3349

TOTAL: 23

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/Text: jdryer@bernsteinlaw.com	Aug 01 2023 00:53:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 601 Grant Street, 9th Floor, Pittsburgh, PA 15219-4430
cr	+ Email/PDF: rmscedi@recoverycorp.com	Aug 01 2023 00:56:58	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
cr	+ Email/Text: ebnjts@grblaw.com	Aug 01 2023 00:53:00	Woodland Hills School District, c/o Jeffrey R. Hunt, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219, UNITED STATES 15219-1753
15577732	+ Email/Text: bncnotifications@pheaa.org	Aug 01 2023 00:53:00	AES PNC Bank, PO Box 61047, Harrisburg, PA 17106-1047
15577737	+ Email/Text: creditcardbkcorrespondence@bofa.com	Aug 01 2023 00:53:00	Countrywide Home Loans, Inc., 7105 Corporate Drive, Plano, TX 75024-4100

District/off: 0315-2

User: auto

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15586316	+ Email/Text: ebnjts@grblaw.com	Aug 01 2023 00:53:00	County of Allegheny, GRB Law, c/o Jeffrey R. Hunt, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219-1753
15577742	^ MEBN	Aug 01 2023 00:49:07	Friedman Vartolo LLP, 1325 Franklin Ave., Suite 160, Garden City, NY 11530-1631
15577743	+ Email/Text: PBNCNotifications@peritussservices.com	Aug 01 2023 00:53:00	Kohls, PO Box 3115, Milwaukee, WI 53201-3115
15569642	Email/PDF: resurgentbknotifications@resurgent.com	Aug 01 2023 01:40:19	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15577745	+ Email/PDF: resurgentbknotifications@resurgent.com	Aug 01 2023 00:56:43	LVNV Funding, LLC, c/o Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15577747	Email/Text: ml-ebn@missionlane.com	Aug 01 2023 00:53:00	Mission Lane Tab Bank, PO Box 105286, Atlanta, GA 30348
15577749	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Aug 01 2023 00:53:00	PA Department of Revenue*, Bankruptcy Division, PO Box 280946, Harrisburg, PA 17128-0946
15570462	+ Email/Text: RVSVCBICNOTICE1@state.pa.us	Aug 01 2023 00:53:00	Pennsylvania Department of Revenue, Bankruptcy Division PO BOX 280946, Harrisburg, PA 17128-0946
15588176	Email/Text: bkdepartment@rtresolutions.com	Aug 01 2023 00:53:00	Real Time Resolutions, Inc., 1349 Empire Central Drive, Suite #150, Dallas, Texas 75247-4029
15577751	+ Email/Text: bkelectronicnoticecourtmail@computershare.com	Aug 01 2023 00:53:00	Specialized Loan Servicing, 6200 S. Quebec St., Ste 300, Englewood, CO 80111-4720
15568745	+ Email/PDF: gecsed@recoverycorp.com	Aug 01 2023 00:56:50	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15591064	+ Email/Text: bkelectronicnoticecourtmail@computershare.com	Aug 01 2023 00:53:00	The Bank of New York Mellon Trustee (See 410), c/o Specialized Loan Servicing LLC, 6200 S. Quebec St., Suite 300, Greenwood Village, Colorado 80111-4720
15580826	Email/Text: electronicbkydocs@nelnet.net	Aug 01 2023 00:53:00	UNITED STATES DEPARTMENT OF EDUCATION, CLAIMS FILING UNIT, PO BOX 8973, MADISON WI 53708-8973
15577752	Email/Text: bknotice@upgrade.com	Aug 01 2023 00:53:00	Upgrade, 275 Battery Street, 23rd Floor, San Francisco, CA 94111
15577753	+ Email/Text: BankruptcyNotice@upmc.edu	Aug 01 2023 00:53:00	UPMC, 2 Hot Metal Street, Room 386, Pittsburgh, PA 15203-2348
15591233	Email/Text: BNCnotices@dcmservices.com	Aug 01 2023 00:53:00	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15591370	Email/Text: BNCnotices@dcmservices.com	Aug 01 2023 00:53:00	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15568684	^ MEBN	Aug 01 2023 00:49:08	US Bank National Association, C/O Friedman Vartolo LLP, 1325 Franklin Avenue, Suite 160, Garden City, NY 11530-1631
15577756	+ Email/Text: electronicbkydocs@nelnet.net	Aug 01 2023 00:53:00	US Dept. of Education, PO Box 7860, Madison, WI 53707-7860
15577758	^ MEBN	Aug 01 2023 00:49:17	Wilkinsburg - Trash, c/o Republic Services, PO Box 9001099, Louisville, KY 40290-1099
15577759	^ MEBN	Aug 01 2023 00:49:17	Wilkinsburg - Trash, c/o Republic Services, PO Box 9001099, Louisville, KY 40290-1099
15586354	+ Email/Text: ebnjts@grblaw.com	Aug 01 2023 00:53:00	Woodland Hills School District, GRB Law, c/o Jeffrey R. Hunt, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219-1753

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TOTAL: 27

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		The Bank of New York Mellon f/k/a The Bank of New
15577754		US Bank National Association
15577760		Wilkinsburg School District
cr	*+	County of Allegheny, GRB Law, c/o Jeffrey R. Hunt, Esquire, 525 William Penn Place, Suite 3110, Pittsburgh, PA 15219-1753
15577739	*+	County of Allegheny*, John K. Weinstein County Treasurer, 436 Grant Street, Room 108 Courthouse, Pittsburgh, PA 15219-2429

TOTAL: 3 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 02, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 31, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor The Bank of New York Mellon f/k/a The Bank of New York as Indenture trustee for CWHEQ Revolving Home Equity Loan Trust Series 2007-A bnicholas@kmlawgroup.com
Jeffrey R. Hunt	on behalf of Creditor Woodland Hills School District jhunt@grblaw.com
Jeffrey R. Hunt	on behalf of Creditor County of Allegheny jhunt@grblaw.com
Jenna Anne Ratica	on behalf of Creditor Commonwealth of Pennsylvania Department of Revenue, Bureau of Compliance jratica@attorneygeneral.gov
Jennifer L. Cerce	on behalf of Creditor Wilkinsburg School District and Borough of Wilkinsburg jlc@mbm-law.net
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com;kebeck@ecf.courtdrive.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com
Scott R. Lowden	on behalf of Joint Debtor Kimberly Goldman lowdenscott@gmail.com
Scott R. Lowden	on behalf of Plaintiff Richard Goldman lowdenscott@gmail.com
Scott R. Lowden	on behalf of Debtor Richard Goldman lowdenscott@gmail.com

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TOTAL: 11